

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-11, 21-25, 29, and 30 are currently pending. Claims 1, 11, 21, 25, 29, and 30 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claim 4 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1-22, 25, 26, 29, and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,310,692 to Fan et al. (hereinafter “the ‘692 patent”); Claims 23 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘692 patent in view of U.S. Patent No. 6,601,040 to Kolls (hereinafter “the ‘040 patent”); and Claims 24 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘692 patent in view of U.S. Patent No. 5,901,286 to Danknick et al. (hereinafter “the ‘286 patent”).¹

Applicants respectfully traverse the rejection of Claim 4 under 35 U.S.C. § 112, first paragraph. Figure 28 and the discussion on page 42 of the specification disclose that a report is sent out by a facility manager PC on a monthly basis. Applicants respectfully submit that this provides support for transmitting the second device information to the second computer periodically, regardless of a content of the second device information, as recited in Claim 4. As the discussion of Figure 28 makes clear, the report is sent monthly, regardless of the content of the report. Accordingly, Applicants respectfully traverse the rejection of Claim 4 under 35 U.S.C. § 112, first paragraph.

Amended Claim 1 is directed to a method of monitoring a device communicatively coupled to a network, comprising: (1) obtaining, by a first monitoring computer through a

¹ However, Applicants note that Claims 26, 27, and 28 were previously canceled.

firewall using a first Internet protocol, first device information of the device, the first device information including status information obtained from sensors of the device, and a device identification of the device; (2) storing, by the first monitoring computer, the obtained first device information; (3) processing the first device information and previously stored status information of the device monitored by the first monitoring computer to generate second device information that includes the first device information and the stored status information; (4) transmitting the second device information using a second Internet protocol from the first monitoring computer to a second computer; and (5) receiving the second device information by the second computer. Further, Claim 1 clarifies that the first monitoring computer is remote from the device, and the first monitoring computer is the first computer to obtain the device information from the device. Claim 1 been amended for the purpose of clarification only and no new matter has been added.²

The ‘692 patent is directed to a printer resource management system that includes a database that stores, for a printer, at least one pair of attributes that are representative of a printer resource level and a printer resource threshold for preventive monitoring of the printer resource. Further, the ‘692 patent discloses that the printer resource manager receives the updated printer resource level from the printer, (e.g., via SNMP), updates the level in the database, compares the resource level with the corresponding resource threshold to determine whether the corresponding printer resource level is deficient, and generates and outputs an advance notification **if the printer resource level is determined to be deficient**. In particular, as shown in Figure 3, the ‘692 patent discloses a printer 250, a server 240 having the print resource manager 248, and a client 220. Further, as shown in the flowchart in Figure 4, the notification of the low printer resource level is dependent upon the comparison of the resource level with the threshold.

² See, e.g., the firewall shown in Figure 5.

However, Applicants respectfully submit that the ‘692 patent fails to disclose obtaining, by a first monitoring computer through a firewall using a first Internet protocol, first device information of the device, as recited in amended Claim 1. ‘692 Figure 3 does not show that the server obtains device information of the printer 250 through a firewall, as required by Claim 1. Moreover, Applicants respectfully submit that one of ordinary skill in the art would not be motivated to insert a firewall between the server 240 and the printer 250 shown in Figure 3 of the ‘692 patent.

Further, Applicants respectfully submit that the ‘692 patent fails to disclose the step of processing the first device information and previously stored status information of the device monitored by the first monitoring computer to generate second device information that includes the first device information and the stored status information, as recited in amended Claim 1. In this regard, Applicants note that the Office Action asserts that the stored information can include an e-mail address of the administrator or end users who are to receive the notification. However, Applicants note that amended Claim 1 clarifies that the second device information is generated from previously stored status information of the device as well as the first device information obtained from the device.

Accordingly, for the reasons stated above, Applicants respectfully submit that the rejection of Claim 1 (and all similarly rejected dependent claims) is rendered moot by the present amendment to Claim 1.

Independent Claim 11 is directed to a system for monitoring a device and includes the firewall limitation recited in Claim 1 as well as means for processing the first device information and previously stored status information of the device to generate second device information. Independent Claims 21, 25, 29, and 30 recite similar limitations. As discussed above, these limitations are not disclosed by the ‘692 patent and would not have been obvious based on the teachings of the ‘692 patent. Accordingly, for the reasons stated above,

Applicants respectfully submit that the rejections of Claims 11, 21, 25, 29, and 30 are rendered moot by the present amendment to the independent claims.

Regarding the rejection of dependent Claims 27 and 28, Applicants respectfully submit that those rejections were rendered moot by the previously cancellation of those claims. Further, regarding the rejection of dependent Claims 23 and 24 under 35 U.S.C. § 103, Applicants respectfully submit that the ‘286 and ‘040 patents fail to remedy the deficiencies of the ‘692 patent, as discussed above. Accordingly, Applicants respectfully submit that the rejections of Claims 23 and 24 are rendered moot by the present amendment to Claim 21.

Further, Applicants note that Claim 2 clarifies that the first Internet protocol and the second Internet protocol are a same Internet protocol. In this regard, Applicants note that Office Action refers to column 4, lines 4-8 and 59-62 in the ‘692 patent as disclosing this limitation. However, Applicants note that the ‘692 patent merely discloses that SNMP is used to communicate between the server and the printer, and that the notification from the server can take place using e-mail or direct paging. Applicants respectfully submit that this is not a disclosure that the first Internet protocol and the second Internet protocol recited in Claim 1 are the same Internet protocol, as required by Claim 2. Rather, the ‘692 patent appears to disclose different protocols.

Further, regarding Claim 4, Applicants note that Claim 4 clarifies that the transmitting step comprises transmitting the second device information to the second computer periodically regardless of a content of the second device information. On the contrary, the ‘692 patent discloses sending information when a printer resource is below a particular threshold. The ‘692 patent does not disclose transmitting information periodically regardless of the content of the information, as required by Claim 4. Accordingly, for this additional reason, Applicants respectfully submit that Claim 4 patentably defines over the ‘692 patent.

Further, Applicants note that Claim 5 states that the first device information comprises an Internet electronic mail message, and the second device information transmitted by the first monitoring computer comprises an electronic mail message. As discussed above, the '692 patent discloses SNMP for communication between the server and the printer, and discloses the use of e-mail for communication from the server to an external device. While the Office Action admits that the '692 patent does not disclose the use of e-mail between the printer and the server, the Office Action asserts that the use of e-mail would have been obvious because "e-mail is a well-known push-base messaging system." Applicants respectfully request that the Office provide evidence that the sending of e-mail by a printer to a server was well-known in the 1999 time frame.

Thus, it is respectfully submitted that independent Claims 1, 11, 21, 25, 29, and 30 (and all associated dependent claims) patentably define over any proper combination of the '692, '286, and '040 patents.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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